

REMARKS

Claims 1-7, 9-40, 55-58 and 60-73 were previously pending in this application. Claims 8, 41-54 and 59 were previously canceled. Claims 16, 17, 35-40, 56-58, 60 and 61 were withdrawn in the instant Office Action as a result of a Restriction Requirement and are canceled herein. Claims 1-2, 9-11, 13, 28-29, 33-34, 55, 62-63, and 73 have been amended. New claim 74 is added herein. As a result, claims 1-7, 9-15, 18-34, 55 and 62-74 are pending for examination with claims 1, 13, 18 and 62 being independent claims. No new matter has been added.

Summary of Telephone Conference with Examiner

Applicant thanks Examiner Conley for his time and courtesy during the telephone interview conducted on July 26, 2006 with the undersigned. The patentability of a draft amendment to claim 1 was briefly discussed. The amendment is included herein. Although no agreement was reached concerning the patentability of the claims, Examiner Conley suggested that the amendment be formally submitted for his consideration.

In addition, the parties generally discussed the applicability of a restriction requirement to independent claims directed to an inflatable device in combination with a fastener.

Allowable Subject Matter

Applicant also thanks the Examiner for the identification of allowable subject matter in each of claims 18-27.

Specification

The Office Action states that the disclosure is objected to because the reference numeral 20 is used to indicate the latch and the bladder on page 7. Included herein is an amendment that corrects the reference numeral. Accordingly, reconsideration and withdrawal of the objection to the specification is respectfully requested. No new matter is added by this amendment.

Claim Objections

The Office Action states that claims 1-2, 9-11, 13, 62-63 and 73 are objected to because the term "depressable" is spelled incorrectly. Claims 1-2, 9-11, 13, 28, 29, 33, 34, 55, 62-63 and

73 are amended herein to correct the misspelling. Accordingly, reconsideration and withdrawal of the objection to claims 1-2, 9-11, 13, 62-63 and 73 is respectfully requested.

Rejections Under 35 U.S.C. §103

The Office Action rejects claims 1-3, 5-7, 9-15, 30-34, 55, 62-64 and 66-73 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 1,519,830 to Kochanski (hereinafter “Kochanski”) in view of U.S. Patent No. 1,423,590 to Zimmerman (hereinafter “Zimmerman”). Applicant respectfully asserts that the pending claims are patentable in view of the cited references because the references fail, either alone or in proper combination, to teach or suggest the “depressible latch” including “a surface that is proximate an opening in the housing” where the surface is “externally accessible with the fastening element retained in the housing” as recited in independent claims 1, 13 and 62.

As amended herein, independent claim 1 recites “a depressible latch positioned relative to the housing to retain the fastening element ... the depressible latch including a surface that is proximate an opening in the housing and is externally accessible with the fastening element retained in the housing ... such that the fastening element is inhibited from being removed from the housing absent an application of a force applied to the surface proximate the opening to depress the depressible latch.” Similarly, as amended herein, independent claim 13 recites “a depressible latch positioned relative to the housing so that the depressible latch in combination with the housing retains the fastening element, the depressible latch including a surface that is proximate an opening in the housing and is externally accessible with the fastening element retained in the housing, the depressible latch configured such that the fastening element is inhibited from being removed from the housing absent an application of a force applied to the surface proximate the opening to depress the latch.” Further, as amended herein, independent claim 62 recites “a depressible latch” including “a surface ... located proximate an opening in the housing [that] is externally accessible with the fastening element retained in the housing such that a force can be applied to the surface to depress the latch.”

In Kochanski, a button member is disconnected from a button securing member “by moving it along the slot and applying sufficient force to force back the tongue as the head of the button is moved past it.” Kochanski at lines 86-90. As a result, in Kochanski, force is applied to the button member in order to disconnect it from the button securing member.

Kochanski also describes that “the button engaging portion 13 is slotted lengthwise of the member B and said slot may be in the form of a keyhole slot as shown. The slot is made wide enough to permit the shank or neck of the button to be passed through it but not wide enough for the head of the button to pass through.” Kochanski at lines 60-67. Thus, without acceding to the merits of the rejection of the claims, Kochanski fails to teach or suggest, *inter alia*, a “depressible latch” including “a surface that is proximate an opening in the housing” where the surface is “externally accessible with the fastening element retained in the housing” as recited in independent claims 1, 13 and 62 because the tongue in Kochanski is inaccessible with the button member inserted in the fastener.

Zimmerman fails to cure the deficiencies of Kochanski; therefore, Applicant asserts that independent claims 1, 13, and 62 are allowable because neither Kochanski nor Zimmerman alone or in proper combination teach or suggest a “depressible latch” including “a surface that is proximate an opening in the housing” where the surface is “externally accessible with the fastening element retained in the housing” as recited in independent claims 1, 13 and 62. In addition, each of dependent claims 2-3, 5-7, 9-12, 14, 15, 30-34, 55, 63, 64, 66-69, and 71-73 (and new claim 74) is also allowable because each depends either directly or indirectly from one of claims 1, 13 and 62. Accordingly, reconsideration and withdrawal of the rejections of claims 1-3, 5-7, 9-15, 30-34, 55, 62-64 and 66-73 is respectfully requested.

The Office Action also rejects claims 1-4, 13, 28 and 62-65 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,946,726 to Green (hereinafter “Green”) in view of Kochanski, and further in view of Zimmerman. The Office Action states that “Green fails to disclose a fastener comprising a depressible latch. (Office Action at page 9.) Accordingly, Green also fails to teach or suggest a “depressible latch” including “a surface that is proximate an opening in the housing” where the surface is “externally accessible with the fastening element retained in the housing” as recited in independent claims 1, 13 and 62. Thus, claims 1, 13, and 62 are patentable in view of Green, Kochanski and Zimmerman. In addition, each of dependent claims 2-4, 28, 63-65 is also allowable because each depends either directly or indirectly from one of allowable claims 1, 13 and 62. Accordingly, reconsideration and withdrawal of the rejections of claims 1-4, 13, 28 and 62-65 is respectfully requested.


The Office Action also rejects claim 29 under 35 U.S.C. §103(a) as being unpatentable over Green in view of Kochanski and Zimmerman, as applied to claims 1-4, 13, 28, and 62-65, and further in view of U.S. Pat. No. 6,058,507 to Klimenko (hereinafter "Klimenko"). Klimenko fails to cure the deficiencies of the combination of Green, Kochanski and Zimmerman. Claim 29 depends directly from independent claim 13. Claim 29 is patentable in view of the asserted combination for the reasons described above concerning claim 13. Accordingly, reconsideration and withdrawal of the rejection of claim 29 is respectfully requested.

CONCLUSION

In view of the foregoing amendments and remarks, reconsideration is respectfully requested. This application should now be in condition for allowance; a notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's attorney at the telephone number listed below.

A petition and fee for a one month extension of time is included herewith. If this response is not considered timely filed in view of the petition and fee and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 50/2762, Ref. No. C0852-7013.

Respectfully submitted,
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Docket No.: C0852-7013
Date: July 27, 2006